

1 Lawrence J. Gornick (SBN 136290)  
2 Debra DeCarli (SBN 237642)  
3 **LEVIN SIMES KAISER & GORNICK LLP**  
4 44 Montgomery Street, 36<sup>th</sup> Floor  
5 San Francisco, CA 94104  
6 Telephone: (415) 646-7160  
7 Fax: (415) 981-1270  
8 [lgornick@lskg-law.com](mailto:lgornick@lskg-law.com)  
9 [ddecarli@lskg-law.com](mailto:ddecarli@lskg-law.com)

10 Bruce W. Blakely (SBN 106832)  
11 **FLAXMAN & BLAKELY, AN ASSOCIATION**  
12 591 Redwood Highway, Suite 2275  
13 Mill Valley, CA 94941  
14 Telephone: (415) 381-6650  
15 Fax: (415) 381-4301  
16 [bruce@brucewblakely.com](mailto:bruce@brucewblakely.com)

17 Attorneys for Plaintiffs

18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**

20 PETER JAY GERBER AND MIRIAM  
21 GOLDBERG,

22 Plaintiffs,

23 vs.

24 BAYER CORPORATION . et al.

25 Defendants.

Case No: 3:07-cv-05918-JSW

**BY FAX**

**PROOF OF SERVICE VIA US MAIL OF  
PLAINTIFF'S CASE MANAGEMENT  
CONFERENCE STATEMENT**

26 I certify that I am over the age of 18 years and not a party to the within action; that my business  
27 address is 44 Montgomery Street, 36<sup>th</sup> Floor, San Francisco, CA 94104; and that on this date I served a  
28 true copy of the document(s) entitled:

**CASE MANAGEMENT CONFERENCE STATEMENT**

Service was effectuated by forwarding the above-noted document in the following manner:

XX **By Regular Mail** in a sealed envelope, addressed as noted above, with postage fully prepaid  
and placing it for collection and mailing following the ordinary business practices of Levin  
Simes Kaiser & Gornick.

**By Electronic Mail**

**By Hand Delivery** in a sealed envelope, addressed as noted above, through services provided by the office of Levin Simes Kaiser & Gornick.

**By Facsimile** to the numbers as noted below by placing it for facsimile transmittal following the ordinary business practices of Levin Simes Kaiser & Gornick.

**By Overnight Courier** in a sealed envelope, addressed as noted above, through services provided by (Federal Express, UPS,) and billed to Levin Simes Kaiser & Gornick.

|  |   |
|--|---|
| <p>Annette Stepanian, Esq.<br/>Kenneth Conour, Esq.<br/>Drinker Biddle &amp; Reath, LLP<br/>50 Fremont Street, 20<sup>th</sup> Floor<br/>San Francisco, CA 94105<br/><a href="mailto:annette.stepanian@dbb.com">annette.stepanian@dbb.com</a><br/><a href="mailto:kenneth.conour@dbb.com">kenneth.conour@dbb.com</a><br/><b>Attorneys for Bayer Corporation and Bayer Healthcare Pharmaceuticals</b></p>   | <p>Deborah C. Prosser, Esq.<br/>Stephanie Hingle, Esq.<br/>Kutak Rock LLP<br/>515 South Figueroa Street, Suite 1240<br/>Los Angeles, CA 90071<br/><a href="mailto:dprosser@bwsllaw.com">dprosser@bwsllaw.com</a><br/><a href="mailto:Stephanie.hingle@KutakRock.com">Stephanie.hingle@KutakRock.com</a><br/><b>Attorneys for General Electric Company, GE Healthcare, Inc. and GE Healthcare Bio-Sciences Corp.</b></p> |
| <p>Carol Sleeth, Esq.<br/>Lewis Brisbois Bisgaard &amp; Smith<br/>One Sansome Street, Suite 1400<br/>San Francisco, CA 94104<br/>Phone: (415) 362-2580<br/>Fax: (415) 434-0882<br/><b>Attorneys for California Pacific Medical Center</b></p>  | <p>H. Nathan James, Esq.<br/>Seifer, Murken, Despina, James &amp; Teichman<br/>2135 Lombard Street<br/>San Francisco, CA 94123<br/>Phone: (415) 749-5900<br/>Fax: (415) 749-0344<br/><b>Attorneys for Merry X-Ray Chemical Corp.</b></p>  |
| <p>Robert K. Lawrence, Esq.<br/>Bjork Lawrence<br/>1850 Mt. Diablo Blvd., Suite 120<br/>Walnut Creek, CA 94596<br/>Phone: (925) 279-1150<br/>Fax: (925) 279-1160<br/><b>Attorneys for BMC Diagnostics, Inc.</b></p>  | <p>Charles T. Sheldon<br/>Michael L. Fox<br/>Sedgewick, Detert, Moran &amp; Arnold LLP<br/>One Market Steuart Tower Eight Floor<br/>San Francisco CA 94105<br/>Phone: 415-781-7900<br/>Fax: 415-781-2635<br/><a href="mailto:charles.sheldon@sdma.com">charles.sheldon@sdma.com</a><br/><a href="mailto:michael.fox@sdma.com">michael.fox@sdma.com</a><br/><b>Attorneys for McKesson Corporation</b></p>                |
| <p>Marsha M. Piccone (<i>pro hac vice pending</i>)<br/>John M. Fitzpatrick (<i>pro hac vice pending</i>)<br/>Galen D. Bellamy<br/>Renee A. Carmody<br/>Wheeler Trigg Kennedy LLP<br/>1801 California Street Suite 3600<br/>Denver CO 80202<br/>Phone: 303-244-1800<br/>Fax: 303-244-1879<br/><a href="mailto:piccone@wtklaw.com">piccone@wtklaw.com</a><br/><a href="mailto:fitzpatrick@wtklaw.com">fitzpatrick@wtklaw.com</a><br/><a href="mailto:bellamy@wtklaw.com">bellamy@wtklaw.com</a><br/><a href="mailto:carmody@wtklaw.com">carmody@wtklaw.com</a><br/><b>Attorneys for McKesson Corporation</b></p> |   |